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**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FILED
 9/23/21 2:26 pm
 CLERK
 U.S. BANKRUPTCY
 COURT - WDPA

In re:	:	Case No.:	19-24544-GLT
	:	Chapter:	13
Andrea Watson-Lindsey	:		
	:		
	:	Date:	9/22/2021
Debtor(s).	:	Time:	09:00

PROCEEDING MEMO

MATTER: # 83 Motion for Relief from Stay 2538 Allequippa Street, Pittsburgh, PA 15213
 filed by Community Loan Servicing, LLC f/k/a Bayview Loan Servicing LLC

86 - Response filed by the ch.13 trustee

APPEARANCES:

Debtor:	Lawrence W. Willis
Trustee:	Owen Katz
Bayview:	Maria Miksich

NOTES:

Court: Do not wish to grant relief from stay because substantial equity exists. The Court prefers conversion over stay relief. This centers on the question of the absolute right to dismiss.

Willis: We are asking for a dismissal without prejudice. The failed sale for of real property for \$60,000 was due to the buyer pulling out after an inspection and subsequently making a lower offer of \$30,000. From our research and consultation from a realtor, we believe the appropriate price range for the property should be between \$60,000 and 100,000. Moreover, Debtor contracted COVID twice and has been forced into retirement, which cuts against the argument for finding bad faith.

Miksich: No position on conversion or dismissal

Katz: We agree that conversion is appropriate; equity, though substantial, is being lost due to lack of payments
 -Voluntary dismissal should be with prejudice for a 180 day bar due to the pending Motion for Relief from Stay.

Court: I will set a hearing on trustee's oral motion to convert this case.

OUTCOME:

1. The *Motion for Relief from Stay* [Dkt. No. 83] is CONTINUED to October 20, 2021. [Text Order to Issue]
2. The Trustee's oral motion to convert shall be scheduled for hearing on October 20, 2021 at 9 am. [HT to issue]

DATED: 9/22/2021